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16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA

18 TERESA MACCLELLAND, *Et Al.*,
19 For Themselves, As Private Attorneys
General, and On Behalf Of All Others
20 Similarly Situated,

21 Plaintiffs,

22 v.

23 CELLCO PARTNERSHIP D/B/A VERIZON
WIRELESS; and
24 VERIZON COMMUNICATIONS INC.,

25 Defendants.

Case No. 3:21-cv-08592-EMC

**JOINT FURTHER CASE MANAGEMENT
CONFERENCE STATEMENT**

[Hon. Edward M. Chen]

Further Case Management Conference

Date: Nov. 8, 2022

Time: 2:30 p.m.

Courtroom: 5

JOINT FURTHER CASE MANAGEMENT CONFERENCE STATEMENT

Pursuant to this Court's Civil Minutes, dated July 26, 2022 (Dkt. No. 63), Plaintiffs Teresa MacClelland, *Et Al.* (collectively, "Plaintiffs"), and Defendants Cellco Partnership d/b/a Verizon Wireless and Verizon Communications Inc. (collectively, "Verizon") hereby submit this Joint Further Case Management Conference Statement:

The parties jointly and respectfully request that the Court take off calendar the status conference currently scheduled for Tuesday, November 8, 2022, and re-schedule the status conference to occur at least 90 days later, for example, on or around Tuesday, February 14, 2023. The parties have been moving forward with this case and its attendant appeal and do not believe that a status conference is needed next week or would be a fruitful use of the Court's time.

The Court most recently convened the parties in this action last month on September 29, 2022, when the Court heard Verizon's Motion To Stay Proceedings Pending Appeal. Dkt. No. 60. As memorialized in its Civil Minutes following the hearing, the Court ruled that it would impose a partial stay pending the Ninth Circuit's review of the Court's order denying Verizon's motion to compel arbitration. Dkt. No. 75. The Court ruled that, during the pendency of the appeal, Plaintiffs would be allowed to request from Verizon "communications and disclosures related to the twenty-seven named Plaintiffs" as well as "high-level corporate documents that are reasonably accessible and would not be unduly burdensome for Verizon to produce." *Ibid.* The Court ordered the parties to meet and confer regarding Plaintiffs' document requests and, in the event of a dispute, to submit a joint letter brief. *Ibid.*

Plaintiffs are currently in the process of drafting document requests that comply with the Court's parameters; after the document requests are served on Verizon, Plaintiffs and Verizon will meet and confer as ordered. Meanwhile, Verizon's opening appellate brief to the Ninth Circuit is due on November 21, 2022. Plaintiffs' opposing brief is currently due on December 21, 2022, but Plaintiffs will almost certainly request the automatic 30-day extension offered by the Ninth Circuit.

1 Dated: October 31, 2022

Respectfully submitted,

2 HATTIS & LUKACS

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